

**MINUTES OF THE CITY COMMISSION MEETING  
FEBRUARY 9, 2004**

The City of Leesburg Commission held a regular meeting Monday, February 9, 2004, in the Commission Chambers at City Hall. Mayor Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner John Christian  
Commissioner Bob Lovell  
Commissioner Ben Perry  
Commissioner Lewis Puckett  
Mayor David Knowles

Also present were City Manager (CM) Ron Stock, City Clerk (CC) Betty Richardson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Diane Gibson Smith, the news media, and others.

Commissioner Lovell gave the invocation followed by the Pledge of Allegiance to the Flag.

**APPROVED CITY COMMISSION MINUTES OF THE WORKSHOP HELD JANUARY 20, 2004 AND THE REGULAR MEETING HELD JANUARY 26, 2004**

Commissioner Puckett moved to approve the City Commission minutes of the workshop held Tuesday, January 20, 2004. Commissioner Lovell seconded the motion and it carried unanimously.

Commissioner Puckett moved to approve the City Commission minutes of the regular meeting held Monday, January 26, 2004. Commissioner Lovell seconded the motion and it carried unanimously.

**PRESENTED STERLING AWARDS TO DEPUTY CITY MANAGER (DCM) ROBERT JOHNSON, MAJOR LEE HUNTER, AND POLICE CHIEF H. CHARLES IDELL**

CM Stock stated the Commission authorized the presentation of four sterling awards for their roles in four construction projects, which were on time and on budget. Keith Riddle of Riddle-Newman Engineers was not present. The projects are as noted:

1. Parking Garage Structure – DCM Robert Johnson
2. Magnolia Trail – DCM Robert Johnson
3. Police Station – Major Lee Hunter, Chief H. Charles Idell
4. Sleepy Hollow project – Keith Riddle of Riddle-Newman Engineers.

**PROCLAMATIONS**

1. Mayor Knowles proclaimed February as Library Appreciation month by reading the proclamation in its entirety.

2. Mayor Knowles proclaimed February 21, 2004 as Angel Flight Day by reading the proclamation in its entirety.

# **MINUTES OF THE FEBRUARY 9, 2004 CITY COMMISSION MEETING**

## **CONSENT AGENDA**

Pulled – B-6 (Agreement with Scott Partnership Architecture, Inc.)  
B-7 (Memorandum of Understanding with Boys and Girls Club)  
B-9A and B (Bond Issue items)  
B-10 (Skybolt)

Commissioner Lovell moved to adopt the Consent Agenda with the exception of B-6, B-7, B9A and B, and B-10. Commissioner Puckett seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the Consent Agenda as follows:

## **PURCHASING ITEMS:**

1. LB-04-08 Athletic equipment for the Recreation & Parks Dept. awarded to various vendors for a total amount of \$35,000.00 annually

## **RESOLUTIONS:**

### **RESOLUTION 7035**

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Lifestream Behavioral Center, Inc.; and providing an effective date. (place trash receptacle for other businesses on Lifestream property)

### **RESOLUTION 7036**

A resolution of the City Commission of the City of Leesburg, Florida, appointing Mary Malaszek and John L. Johnson to the Lake County Library Advisory Board; and providing an effective date.

### **RESOLUTION 7037**

A resolution of the City Commission of the City of Leesburg, Florida approving the revisions to Lake County Library System Policy, LCC-9, confidentiality of Library records; and providing an effective date.

### **RESOLUTION 7038**

A resolution of the City Commission of the City of Leesburg, Florida authorizing the City Manager and City Clerk to execute a grant contract with Florida Communities Trust for acquisition of property associated with the Leesburg Greenway Trail; and providing an effective date.

### **RESOLUTION 7039**

A resolution of the City Commission of the City of Leesburg, Florida authorizing the City Manager and City Clerk to execute a confidentiality agreement with Florida Communities Trust for the acquisition of property associated with the Leesburg Greenway Trail; and providing an effective date.

## MINUTES OF THE FEBRUARY 9, 2004 CITY COMMISSION MEETING

### RESOLUTION 7040

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Fred Fox Enterprises, Inc. for the purposes of CDBG planning services, and providing an effective date.

### RESOLUTION 7041

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Fred Fox Enterprises, Inc. for the purposes of CDBG administrative services, and providing an effective date.

### RESOLUTION 7044

A resolution of the City Commission of the City of Leesburg, Florida, adopting the attached Public Information Policy; and providing an effective date.

### OTHER AGENDA ITEMS:

1. Appropriate forfeiture funds to purchase two German shepherd Police dogs

### **TABLED A RESOLUTION TO APPROVE AN AGREEMENT WITH THE SCOTT PARTNERSHIP ARCHITECTURE, INC TO PROVIDE A FACILITY NEEDS ANALYSIS FOR A RECREATION GYMNASIUM AND A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE BOYS AND GIRLS CLUB**

Commissioner Perry introduced the resolution to be read by title only. CC Richardson read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to approve an agreement between the City of Leesburg and the Scott Partnership Architecture, Inc. to provide a facility needs analysis for a recreational gymnasium for the City of Leesburg, pursuant to 03-RFP-13; and providing an effective date.

Commissioner Perry stated this item and the related item a Memorandum of Understanding with the Boys and Girls Club should be tabled until after the Capital Projects workshop when prioritization of projects and funding will occur.

Commissioner Perry moved to table these two items until after the prioritization workshop. Commissioner Puckett seconded the motion.

Commissioner Christian noted the ranking of the firms for the recreation gymnasium has already been approved.

Roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Nay
Commissioner Lovell	Yea
Mayor Knowles	Yea

Four yeas, one nay, the Commission approved tabling these two resolutions

**ADOPTED RESOLUTION 7042 DESIGNATING THE FINANCE TEAM TO WORK ON THE DEFEASANCE OF CERTAIN CITY UTILITY DEBT**

---

Commissioner Perry introduced the resolution to be read by title only. Mayor Knowles read the resolution as follows:

A resolution of the City of Leesburg, Florida designating the Finance Team to work with the City in connection with the defeasance of certain City utility debt and the issuance of debt to acquire, construct and equip utility infrastructure improvements; authorizing the City Manager to execute the Engagement Letters; and providing an effective date.

Commissioner Lovell moved to approve the resolution and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Puckett	Yea
Commissioner Christian	Nay
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Knowles	Yea

Four yeas, one nay, the Commission adopted the resolution.

**ADOPTED RESOLUTION 7043 PROVIDING FOR THE ISSUANCE OF NOTES, BONDS OR OTHER OBLIGATIONS IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$41,000,000**

---

Commissioner Perry introduced the resolution to be read by title only. CC Richardson read the resolution as follows:

A resolution expressing the intent of the City of Leesburg, Florida to acquire, construct and equip utility infrastructure improvements; expressing the intent for purposes of compliance with United States Treasury regulation Section 1.150(2)(e) to reimburse with the proceeds of future tax-exempt financings, capital expenditures made with respect to the acquisition, construction, improvement and repair of such improvements; providing for the issuance by the City of notes, bonds or other obligations in one or more series in an aggregate principal amount not exceeding \$45,000,000 to pay the cost of such projects; and providing an effective date.

Commissioner Lovell moved to approve the resolution and Commissioner Puckett seconded the motion.

Commissioner Perry questioned the amount being requested. Finance Director (FD) Bill Pfeilsticker noted three different figures were reviewed and captured into the special January 20, 2004 City Commission Meeting minutes. This resolution is to give flexibility by stating not more than \$45 million.

## **MINUTES OF THE FEBRUARY 9, 2004 CITY COMMISSION MEETING**

Jeff Larson, of Kirkpatrick Pettis, stated the analysis is an estimate. This resolution is to set an estimate for the bond issue, which will then be changed depending on the expenses involved. The exact dollar amount will come back to the Commission for approval. This does not give Kirkpatrick Pettis carte blanche.

The roll call vote was as follows:

Commissioner Christian	Nay
Commissioner Lovell	Yea
Commissioner Perry	Nay
Commissioner Puckett	Nay
Mayor Knowles	Yea

Mayor Knowles requested suggestions on how to proceed. Commissioners Christian and Puckett stated more information will be known after the Capital Projects workshop. FD Pfeilsticker stated this is simply the refinancing side of things already outstanding.

Commissioner Christian moved for a reconsideration of the vote. Commissioner Lovell seconded the motion and it passed with four yeas and one nay by Commissioner Perry.

Mayor Knowles stated this will be used to refinance existing projects and refinance existing debt. Mr. Larson stated this also adds the component to finish the wastewater treatment plant.

Commissioner Perry stated the only problem he has with this is the amount of \$45 million when an unanimous vote was made for just over \$40 million at the workshop.

Commissioner Perry moved to approve the resolution with the change in the amount to \$41 million. Commissioner Puckett seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission approved the resolution with the amount not to exceed \$41 million.

### **PULLED ITEM REGARDING SKYBOLT AEROMOTIVE INC. ECONOMIC DEVELOPMENT GRANT PROJECT SETTLEMENT**

CM Stock stated this item was pulled from the agenda, as it is unlikely Skybolt will be able to meet the 18 new jobs requirement.

DCM Johnson stated September 11<sup>th</sup> had a big impact on this Skybolt project. DCM Johnson noted he has negotiated a settlement with the grant agency, which will provide another year extension to the Skybolt project without a negative impact on future City grants.

Commissioner Puckett noted this needs to be factored in at the Capital Projects workshop.

## **MINUTES OF THE FEBRUARY 9, 2004 CITY COMMISSION MEETING**

### **PUBLIC HEARINGS:**

### **ADOPTED ORDINANCE 04-06 AMENDING THE FISCAL YEAR 2003-04 BUDGET FOR THE GENERAL, CAPITAL PROJECTS, ELECTRIC, GAS, WATER, AND WASTEWATER FUNDS, AND PROVIDING AN EFFECTIVE DATE.**

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2003-04 Budget for the General, Capital Projects, Electric, Gas, Water, and Wastewater Funds, and providing an effective date.

Commissioner Lovell moved to adopt the ordinance and Commissioner Puckett seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **CITY ATTORNEY ITEMS: None**

### **CITY MANAGER ITEMS:**

A. CM Stock requested DCM Johnson introduce the creation of a Construction Inspector position

DCM Johnson stated staff believes it can bring these services in-house and save money. This position will be similar to a Construction Superintendent and work as an intermediary with the companies. Commissioner Perry stated he has never worked with a company that provided its own inspector.

DCM Johnson stated this is common in projects being done with grant money.

Mayor Knowles stated if this can be done in-house, then the City should do it.

Commissioner Puckett questioned the cost of having this person in-house. DCM Johnson stated the salary would be between \$40 - \$60K a year. Commissioner Puckett stated the problem is once the position is filled, the City has this person.

Commissioner Puckett requested bringing this back after the workshop.

Mayor Knowles suggested staff begin looking at this position.

Commissioner Perry stated his concern is the City will pay twice for inspection services, as they are included in design build contracts. DCM Johnson stated with this position, the engineer will not need someone there all day, every day. While this cost is included in contracts, it can be deducted if the City provides the service.

## **MINUTES OF THE FEBRUARY 9, 2004 CITY COMMISSION MEETING**

Commissioner Perry stated the City will assume some design liabilities when the inspections are done by Staff.

DCM Johnson noted periodic inspections will still be done by the outside firms. When dealing with grant money, there is a different level of risk than with personal money.

Commissioner Christian questioned how well the engineering firms will accept this. DCM Johnson stated the engineering firms usually do not see the inspections as money makers.

CA Johnson noted this position will oversee the day to day work and not completely relieve the companies of their inspection duties.

Commissioner Lovell moved to approve the position and Commissioner Christian seconded the motion. The roll call vote was as follows:

Commissioner Puckett	Nay
Commissioner Christian	Yea
Commissioner Lovell	Yea
Commissioner Perry	Nay
Mayor Knowles	Yea

Three yeas, two nays, the position of Construction Inspector was approved.

B. CM Stock reminded everyone of the following happenings this week:

- a. Parade on Wednesday at 11:45 to commemorate the return of the National Guardsmen
- b. Thursday, February 12 at 5:30 there will be an Open House at Police Station.

C. CM Stock stated on March 30<sup>th</sup> "Capital in the City" is coming to Leesburg from 11-3.

D. CM Stock stated he and Mayor Knowles went to Washington, D.C. to discuss funding for two programs. While there, Racine was found in the building.

### **ROLL CALL:**

Commissioner Lovell – none

Commissioner Perry – none

Commissioner Puckett – none

**MINUTES OF THE FEBRUARY 9, 2004 CITY COMMISSION MEETING**

---

Commissioner Christian – none

Mayor Knowles – none

Commissioner Perry moved to adjourn the meeting. The meeting adjourned at 6:23 p.m.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
*Diane L. Gibson Smith*  
Recorder

MINUTES 040209